

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

MR. ANTHONY NORDMAN,

Plaintiff,

v.

JULIUS WORTHINGTON,  
JACKSON-MADISON COUNTY  
SCHOOL SYSTEM BOARD OF  
EDUCATION, AND MR. MORTON  
TAYLOR,

Defendants.

Case No. 1:12-cv-01189-egb

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**REPORT AND RECOMMENDATION**

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On August 21, 2012, the Plaintiff filed his complaint against Defendants and summons was issued. As it appeared to the court based on the docket that Plaintiff failed to serve the Defendants within 120 days of the filing of the complaint, the court entered an order on January 25, 2013, directing the Plaintiff to show cause within eleven (11) days why his case should not be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure for failure to serve the summons and complaint within 120 days. The Plaintiff was warned that failure to respond to the show cause order could result in dismissal of his case without further notice from the court. The Plaintiff has failed to respond to the Show Cause Order, and has still not served the Defendants. It appears to the Court, therefore, that the Plaintiff's case should be dismissed without prejudice for failure to serve the Defendants. Accordingly, it is recommended that this case be dismissed without prejudice for failure to serve the Defendants pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

Respectfully Submitted,

**s/Edward G. Bryant**

EDWARD G. BRYANT

UNITED STATES MAGISTRATE JUDGE

Date: **February 11, 2013**

**ANY OBJECTIONS OR EXCEPTIONS TO THIS REPORT AND RECOMMENDATIONS MUST BE FILED WITHIN FOURTEEN (14) DAYS AFTER BEING SERVED WITH A COPY OF THE REPORT AND RECOMMENDATIONS. 28 U.S.C. § 636(b)(1). FAILURE TO FILE THEM WITHIN FOURTEEN (14) DAYS MAY CONSTITUTE A WAIVER OF OBJECTIONS, EXCEPTIONS, AND ANY FURTHER APPEAL.**